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**POWER OF ATTORNEY
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INDICATION FORM**

Application Number	11/582,054
Filing Date	June 17, 2004
First Named Inventor	Wiedermann
Title	Passive Immunotherapy Against ...
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	37488.00900US

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

38647

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

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☐ Firm or
Individual Name

Address

City

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Country

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Email

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature		Date	
Name		Telephone	
Title and Company	Bio Life Science Forschungs- und Entwicklungsges. m.b.H.		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT FOR PATENT

WHEREAS We, the below named inventors (hereinafter referred to as ASSIGNOR(S)), has made a discovery or invention entitled:

Passive Immunotherapy Against Malignant Melanoma

- ☐ for which application for Letters Patent of the United States has been executed on even date herewith.
☒ for which a National Stage Application for Letters Patent of the United States of International Application No. PCT/EP04/006519 has been filed on June 17, 2004, under Serial Number 10/562,064, and

WHEREAS:

Bio Life Science Forschungs- und Entwicklungsges. m.b.H., Kohlmarkt 3, A-1010 Vienna, Austria

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefore in the United States.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S) hereby sells, assigns and transfers to ASSIGNEE, its successors, legal representatives and assigns, the full and exclusive right, title and interest to said discovery or invention in the United States and its territorial possessions to all Letters Patent or similar legal protection in the United States and its territorial possessions for the full term for which the same may be granted.

I, SAID ASSIGNOR(S), hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America to issue Letters Patent on applications aforesaid, to issue all such Letters Patent for said discovery or invention to the ASSIGNEE, as assignee of the entire right, title and interest in, to and under the same, for the sole use and behalf of the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

I, SAID, ASSIGNOR(S), hereby covenant that I have full right to convey the entire right, title and interest herein sold, assigned, transferred and set over.

Name of First Assignor: Ursula Wiedermann
Address: Rohrbacherstraße 5A, A-1130 Vienna, Austria

Assignor's Signature: _____

Date: _____

Citizenship: Austria

Name of Second Assignor: Soldano Ferrone
Address: Department of Immunology, Roswell Park Cancer Institute
Elm & Carlton Streets, Buffalo, NY 14263, USA

Assignor's Signature: _____

Date: _____

Citizenship: US

Name of Third Assignor: Hubert Pehamberger
Address: Schwinglgasse 20, A-1230 Vienna, Austria

Assignor's Signature: _____

Date: _____

Citizenship: Austria

Name of Fourth Assignor: Otto Scheiner
Address: Petersbachgasse 12b, A2380 Perchtoldsdorf, Austria

Assignor's Signature: _____

Date: _____

Citizenship: Austria

> Von: Robert Schaechter [mailto:...]]
> Gesendet: Montag, 30. Juli 2007 18:14
> An: Ferrone, Soldano
> Cc: Christoph. Zielinski ; Hubert.
> Pehamberger
> Betreff: AW: Biolifescience



> Dear Prof. Ferrone,

> Thank you very much for your answer regarding the co operation with
> BioLifeScience.
> The purpose of our cooperation was (and is) evaluating the
> possibility of Patent applications in the field of antibodies
> against melanoma.
> BioLifeScience had before we have entered our co operation already
> registered numerous patents in the field of mimotope vaccines against
> cancerous diseases.
> We have analysed the patentability of antibodies and came for the time
> being to the conclusion it could be more difficult as expected -
> specially as we did not understand completely the intellectual
> property situation between Rosewell Park and you - the clear
> definition of the molecule structure was more complicated than
> expected to guarantee a successful patenting process.
>
> Preparing our cooperation we have in agreement named you in the patent
> "mimotopes" - and this is still "spirit of the deal" - we have been
> focusing rather on research and clinical development than on financial
> benefits.
> As you perfectly know this takes a very long time - and investments.
> Specially as we understood your participation in the Melanoma project
> always as equal member of our team we are more than surprised on
> your reaction - not signing formal patent papers.
> We still hope you will stay in our common process and sign the paper
> nominating you as co inventor - if you want to leave the cooperation
> /what we would apologize) please sign the document we have sent last
> week.
> In case you decide to continue we will definitely respect as well a
> fair participation on eventual profits.

> I hope to learn on your preferences

> Best regards
> Yours sincerely

> Robert Schaechter

> > -----Ursprungliche Nachricht-----

> > Von: Ferrone, Soldano [mailto:...]]
> > Gesendet: Freitag, 27. Juli 2007 17:47
> > An: Robert Schaechter
> > Cc: Christoph. Zielinski ; Hubert.
> > Pehamberger
> > Betreff: RE: Biolifescience

> > Dear Mr. Schaechter,

> > Thank you for your e-mail with the enclosed information. My
> > understanding of the situation is that all the profits will go to
> > the biotech company which has been set up in Vienna. Under these
> > conditions I do not see any advantages for me to be part of the patent application.
> > Is my understanding correct?

> > If you need any additional information please do not hesitate to
> > contact me.
> >
> > Thank you for your consideration.
> >
> > Sincerely,
> > Soldano
> >
> > Soldano Ferrone, M.D., Ph.D.
> > Department of Immunology
> > Roswell Park Cancer Institute
> > Elm & Carlton Streets
> > Buffalo, New York 14263 (USA)
> > Phone:
> > Fax:
> > E-mail:
> >
> >
> > -----Original Message-----
> > From: Robert Schaechter [mailto:]
> > Sent: Friday, July 27, 2007 6:19 AM
> > To: Ferrone, Soldano
> > Cc: Christoph. Zielinski ; Hubert.
> > Pehamberger
> > Subject: Bioluminescence
> >
> >
> > > Dear Prof.Ferrone,
> > >
> > > firstly I hope you are doing well and you enjoy the summer as we
> > > do in
> > >
> > > Vienna.
> > >
> > > I wanted to come back to your discussions and correspondence with
> > > Hubert regarding the patent situation "Mimotope".
> > > We have been in agreement to pursue in common interest the cancer
> > > vaccination patenting process.
> > > We have signed a related co operation and consultancy agreement.
> > > As the patenting process is under development we have sent related
> > > documents for signature,asking for your agreement being one of the
> > > "Co-inventors" as we have seen that as a contribution to deepen
> > > our cooperative relation.
> > > I understood from your correspondence with hubert that you do not
> > > feel comfortable signing the document as co-inventor - even I have
> > > difficulties to understand your decision - because there is no
> > > obligation involved - it should just guarantee your rights in case
> > > of success - I consequently understand you want to be deleted from
> > > the list - therefore I am sending a declaration confirming you are
> > > only "accidentely" on the patent.
> > >
> > > We kindly ask you to sign one of the documents, because either you
> > > want to stay on our common board - or you want to leave. We respect
> > > both decisions, definitely would prefer having you with us -
> > > specially
> > >
> > > as we are hoping for positive results being eventually as well in
> > > your
> > >
> > > interest.
> > >
> > > Please let us know about your decision - if you need more
> > > information
> > > - or you have additional proposals - please do not hesitate
> > > contacting
> > >
> > > me.

> > >
> > > I hope to be meeting with you in near future and remain
> > >
> > > With my best regards
> > > Yours sincerely
> > >
> > > Robert Schaechter
> >
> >
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